



PUBLIC NOTICE

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FCC EXTENDS DEADLINE TO DECEMBER 29, 2023, TO SUBMIT NOMINATIONS AND RECOMMITMENT LETTERS FOR MEMBERSHIP ON THE NATIVE NATIONS COMMUNICATIONS TASK FORCE

On October 16, 2023, the Federal Communications Commission (“Commission” or “FCC”) released a Public Notice (“NNCTF Public Notice”) seeking applications for membership to serve on the Native Nations Communications Task Force (Task Force) for the upcoming term to commence in 2024.¹ Incumbent Task Force members were also invited to recommit to serving the Task Force. The NNCTF Public Notice established that there would be a renewed Task Force with an expected start date in January 2024 for a term of three years.

The original deadline for new nominations and letters of recommitment was November 30, 2023. By this Public Notice, the Commission extends deadline for nominations and letters to **December 29, 2023**.

The Commission recognizes its unique trust relationship with Tribal Nations.² It is this unique government-to-government relationship that guides us in our work with Tribal Nations. The Task Force was created in 2011 to help ensure that the concerns of Tribal governments are considered in all relevant Commission proceedings, and is a critical source of information and expertise to the Commission by providing recommendations on communications-related issues that affect Tribal stakeholders. The Task Force is composed of elected Tribal leaders from federally-recognized Tribes or their designated employees with authority to act on their behalf as well as senior FCC staff.³ Members of the renewed Task Force will serve at the discretion of the Chairwoman of the Commission who will select Task Force members.

Procedures for submitting nominations and letters of recommitment are set forth in the NNCTF Public Notice released on October 16th: <https://docs.fcc.gov/public/attachments/DA-23-982A1.pdf> and are again provided below for ease of reference. As indicated in the NNCTF Public Notice, all applications for nominations and letters for recommitment should be submitted by email to Native@fcc.gov. If it is not possible to submit the required information through email, please contact Lloyd Collier at (202) 418-2712 to determine another method of delivery.

APPLICATIONS AND SELECTION

Nominations procedures for new Task Force members and procedures for current Task Force members to submit letters of recommitment remain unchanged. Nominees and current Task Force members must submit their applications via email to Native@fcc.gov on or before December 29, 2023. Persons who submitted applications prior to the original November 30, 2023 deadline *do*

¹ *FCC Extends Current Native Nations Communications Task Force and Seeks Nominations for Tribal Government Representatives to Serve on Renewed Task Force Beginning in 2024*, Public Notice, DA 23-982 (Oct. 16, 2023).

² *Establishing a Government-to-Government Relationship with Indian Tribes*, Policy Statement, 16 FCC Rcd 4078 (2000).

³ *Chairman Genachowski Names Members to the FCC-Native Nations Broadband Task Force*, Public Notice, 26 FCC Rcd 2467 (2011).

not need to re-apply or re-submit their materials.

Who May Apply for Membership

Applicants must be elected leaders from federally-recognized Tribal governments or governmental entities (e.g., Tribal utility commissions), or their designated employees. Pursuant to the “intergovernmental communications” exemption in Section 204 of the Unfunded Mandates Reform Act of 1995 (“UMRA”), [2 U.S.C. § 1534](#), the Task Force is not subject to the requirements and procedures set forth in the Federal Advisory Committee Act (“FACA”), 5 U.S.C. § 1001 *et seq.*⁴ Section 204 of UMRA provides an exemption from FACA for intergovernmental communications involving meetings between “Federal officials and elected officers of State, local and tribal governments (or their designated employees with authority to act on their behalf) acting in their official capacities.”⁵

In filling the vacancies, the Commission seeks to balance the representation of different geographic regions, Task Force members’ subject-matter expertise, and the diversity among Tribal Nations in terms of culture, priorities and economic development. The Commission is particularly interested in applicants with diverse professional experience and backgrounds in broadband, telecommunications, broadcast and licensing, information technology, and infrastructure deployment and broadband adoption.⁶

Application Procedures For New Nominations

No specific application form is required for nominations; however, at a minimum, applications should be in writing (e.g., a letter) and must include the following information:

- Resume, which includes the position of the applicant with respect to a Tribal government.
- Telephone number.
- Mailing address and/or e-mail address.
- A brief description of the nominee’s area(s) of expertise and qualifications to serve on the Task Force.
- A letter from an elected Tribal leader, if the applicant is a *designated employee*.

Designated Employees

In the case of a person seeking to serve as a “designated employee,” including incumbent Task Force members, the application must also identify by name and position the elected Tribal leader on whose behalf the employee would be acting *and must include a letter from that elected leader designating the applicant to represent them on the Task Force*. A designated employee must be on the staff of a Tribal government, and part of the governmental process.⁷ Following these procedures will ensure that the Task Force may operate with adequate flexibility and within its FACA-exempt status. The designated employee’s experience and qualifications should be commensurate with the functions of the Task Force, and not ministerial.

Application Procedures for Incumbent Task Force Members

Incumbent Task Force members who wish to recommit themselves to the Task Force must submit a letter stating their intent to continue to serve on the Task Force and their position as either an elected leader of a federally-recognized Tribe or as a *designated employee* of an elected leader with authority to act on behalf of that leader.

⁴ 2 U.S.C. § 1534.

⁵ *Id.*

⁶ *FCC Seeks Nominations for Tribal Government Representatives to Serve on Renewed FCC Native Nations Communications Task Force*, Public Notice, 33 FCC Rcd 1264 (2018) (“2018 NNCTF Renewal PN”).

⁷ *Id.*

Alternates

The nomination for a new appointment to the Task Force may also include the nomination of an alternate representative who can participate in the event the primary member (whether an elected official or a designated employee) is unavailable for a meeting. An alternate's participation will not count towards the participation of the primary member and should the primary member cease to serve or be removed from the Task Force, the alternate does not become a replacement.⁸ The alternate's experience and qualifications should be commensurate with the functions of the Task Force, and not ministerial.

Obligations of Task Force Members

Members of the renewed Task Force will serve at the discretion of the Chairwoman of the Commission who will select Task Force members to serve for a term of three years. The Task Force generally meets in-person twice a year.⁹ The Task Force supplements these meetings with virtual meetings throughout the year. Task Force members are required to attend fifty percent (50%) of the annual meetings, including at least one in-person meeting, and at least two virtual meetings.¹⁰ Attendance at in-person meetings will be at the Task Force member's own expense.

Members also have an initial and continuing obligation to disclose any interests in, or connections to, persons or entities who are or will be regulated by, or who have interests before the Commission. Members who fail to disclose such interests will be removed from the Task Force.¹¹

Expiration of Task Force Membership or Removal

In the case of an elected Tribal representative no longer holding office in a Tribal government, or a designated employee no longer being employed by the Tribal government or designated by an elected Tribal officer no longer holding office, that person must give prompt notice to the Commission Co-Chair of the Task Force as that Task Force member's seat will be deemed expired.¹² Appointments to the Task Force are specific to the individual selected. A Tribal government may not automatically appoint a replacement for a Tribal representative whose term expires or is removed from the Task Force but may, using the same nomination procedures described above, request such a replacement appointment.¹³

Accessible Formats

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice).

Additional Information

For additional information, please contact Lloyd Collier, Office of Native Affairs and Policy, Lloyd.Collier@fcc.gov, (202) 418-2712.

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⁸ *Id.*

⁹ Pursuant to the 2018 NNCTF Renewal PN, the Task Force is to meet in-person twice a year, with one meeting held at the Commission headquarters in Washington, D.C. and the other meeting to be held in the field, with supplemental virtual meetings throughout the year. *2018 NNCTF Renewal PN*.

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Acting Chairwoman Rosenworcel Announces Term Extension of the Commission's Native Nations Communications Task Force and Seeks Nominations for Vacancies*, Public Notice, 36 FCC Rcd 10096 (2021).